

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In re

**CHRISTOPHER STEVEN
HAYWOOD and SUSAN LIN
HAYWOOD,**

Debtors.

Case No. **18-60041-13**

O R D E R

At Butte in said District this 10th day of August, 2018.

In this Chapter 13 case, Federal National Mortgage Association (“Creditor”) filed a Motion to Modify Stay on July 26, 2017. In accordance with Mont. LBR 4001-1, Mont. LBR 9013-1 and Mont. LBF 8, Creditor attached a “Notice” to its motion advising Debtors, and other parties in interest, such as the Chapter 13 Trustee, that they had fourteen (14) days within which to respond to Creditor’s motion. The Chapter 13 Trustee filed a contingent consent to Creditor’s motion on August 1, 2018. Debtors, on the other hand, failed to file a timely response to Creditor’s motion in accordance with Mont. LBR 4001-1. With the Trustee’s contingent consent, and in the absence of any outstanding opposition after notice, the Court finds that Creditor’s motion is filed for good cause under 11 U.S.C. § 362(d).

IT IS THEREFORE ORDERED the stay afforded by § 362(a) of the Bankruptcy Code is modified to permit Federal National Mortgage Association to pursue its non-bankruptcy remedies with respect to the following property of the estate:

Parcel C in the NW 1/4 of the SW 1/4 of Section 34, Township 85 North, Range 23 West of the 5th PM, Iowa, as shown in the Plat of Survey, recorded on September 29, 2003 as Inst. No. 03-20550 on Slide 182, Page 1 of the Story County Records.

IT IS FURTHER ORDERED that this Order is effective immediately, not stayed for 14 days pursuant to FED. R. BANKR. P. 4001(a)(3).

BY THE COURT:



Hon. Benjamin P. Hursh
United States Bankruptcy Court
District of Montana